



# House of Representatives

General Assembly

**File No. 259**

February Session, 2014

Substitute House Bill No. 5491

*House of Representatives, April 1, 2014*

The Committee on General Law reported through REP. BARAM of the 15th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## ***AN ACT CONCERNING CUSTOMER SALES AND SERVICE CALLS MADE FROM OUTSIDE THE UNITED STATES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1       Section 1. (NEW) (*Effective July 1, 2014*) (a) As used in this section:
- 2       (1) "Customer sales call center" means an entity whose primary  
3       purpose is initiating or receiving telephonic communications on behalf  
4       of any person for the purpose of initiating sales, including, but not  
5       limited to, making sales solicitations.
- 6       (2) "Customer service telephone bank" means an entity whose  
7       primary purpose is initiating or receiving telephonic communications  
8       on behalf of any person for the purpose of (A) providing services or  
9       benefits, or (B) receiving information related to the provision of  
10      services or benefits by such person.
- 11      (3) "Customer service employee" means a person employed by, or  
12      working on behalf of, a customer sales call center or a customer service

13 telephone bank.

14 (4) "Personal identifying information" includes, but is not limited to,  
15 a person's driver's license number, Social Security number, place of  
16 employment, employee identification number, mother's maiden name,  
17 demand deposit account number, savings account number or credit  
18 card number.

19 (b) Any person who conducts business in this state and who has a  
20 contract with a customer sales call center or a customer service  
21 telephone bank that is entered into, renewed or continued on or after  
22 July 1, 2014, shall include a provision in such contract that requires a  
23 customer service employee to disclose the following information  
24 during the first thirty seconds of each telephone call when the  
25 customer service employee makes a telephone call to or receives a  
26 telephone call from a resident of this state:

27 (1) (A) Whether the customer service employee is in a workplace  
28 located outside of the United States, and if the employee is in such a  
29 workplace, the employee shall also disclose whether the telephone call  
30 may require the resident to disclose personal identifying information,  
31 and (B) if the telephone call may require the resident to disclose  
32 personal identifying information, that the resident may request that  
33 the telephone call be transferred to a customer sales call center or  
34 customer service telephone bank located in the United States in order  
35 to allow the resident to speak with a customer service employee  
36 located in the United States; and

37 (2) Whether the call is being monitored or will be reviewed by a  
38 person located outside of the United States, and, if so, that the resident  
39 may request that the telephone call be transferred to a customer sales  
40 call center or customer service telephone bank located in the United  
41 States in order to allow the resident to speak with a customer service  
42 employee located in the United States.

43 (c) (1) Upon receiving a request pursuant to subdivision (1) or (2) of  
44 subsection (b) of this section that a telephone call be transferred to a

45 customer sales call center or customer service telephone bank located  
46 in the United States, the customer service employee shall immediately  
47 transfer such telephone call to a customer sales call center or customer  
48 service telephone bank located in the United States.

49 (2) Upon receiving a request pursuant to subdivision (2) of  
50 subsection (b) of this section that the call be transferred, the customer  
51 service employee shall ensure that such telephone call is not monitored  
52 or reviewed by a person located outside of the United States.

This act shall take effect as follows and shall amend the following sections:

Section 1	July 1, 2014	New section
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**Statement of Legislative Commissioners:**

In Subsec. (a)(2), subparagraph designators (A) and (B) were inserted and "or benefits" was inserted in subparagraph (A) for accuracy, and in Subsec. (c)(1), a reference to subdivision (2) of subsection (b) was inserted for accuracy.

**GL**            *Joint Favorable Subst. -LCO*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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**OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:** None

**Explanation**

The bill results in no fiscal impact as it contains no enforcement or penalty provisions.

**The Out Years**

**State Impact:** None

**Municipal Impact:** None

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**OLR Bill Analysis****sHB 5491*****AN ACT CONCERNING CUSTOMER SALES AND SERVICE CALLS  
MADE FROM OUTSIDE THE UNITED STATES.*****SUMMARY:**

This bill requires anyone conducting business within Connecticut who contracts with a customer sales call center (call center) or service telephone bank (phone bank) to require in the contract that the call center or phone bank employee disclose certain information within the first 30 seconds of each telephone call to or from a Connecticut resident. The bill applies to contracts entered into, renewed, or continued on or after July 1, 2014.

The contract must require the call center or phone bank employees to disclose whether:

1. (a) they are working outside the United States and, if so (b) if the call may require the resident to disclose personal identifying information, such as his or her driver's license number, Social Security number, place of employment, employee identification number, mother's maiden name, demand deposit account number, savings account number, or credit card number; and
2. the call is being monitored or will be reviewed by anyone located outside the United States.

If calling from outside the U.S., the call center or phone bank employee must inform the resident that he or she may request that the call be transferred to a U.S. call center or phone bank so the resident may speak with an employee there, and the call center or phone bank employee must immediately transfer the call if so requested. For

transfer requests involving calls that may be monitored or reviewed by someone outside the U.S., the call center or phone bank employee must ensure the call is not monitored or reviewed by anyone outside the U.S.

The bill does not provide any penalties for violations.

Under the bill, a call center is any entity whose primary purpose is initiating or receiving telephone calls on behalf of anyone for the purpose of initiating sales. A phone bank is any entity whose primary purpose is initiating or receiving telephone calls on anyone's behalf for the purpose of (1) providing services or benefits or (2) receiving information related to the provision of services or benefits.

EFFECTIVE DATE: July 1, 2014

#### **COMMITTEE ACTION**

General Law Committee

Joint Favorable

Yea    10    Nay    7    (03/18/2014)